



A Partnership Including  
Professional Corporations  
227 West Monroe Street  
Chicago, IL 60606-5096  
312-372-2000  
Facsimile 312-984-7700

Boston  
Chicago  
Los Angeles  
Miami  
Newport Beach  
New York  
St. Petersburg (Russia)  
Vilnius (Lithuania)  
Washington, D.C.

Associated  
(Independent) Offices:  
Barcelona London  
Brussels Madrid  
Lisbon Paris

MCDERMOTT, WILL & EMERY

November 27, 1995

**VIA U.S. EXPRESS MAIL**

Commissioner of Patents and Trademarks  
Box Missing Parts  
Washington, D.C. 20231

Re: U.S. Patent Application No. 08/517,016  
Applicant: William E. Marshall and Michael K. Hoffman  
Filed: August 18, 1995

Dear Sir or Madam:

I have enclosed a Petition for a One (1) Month Extension of time, along with copies of documents which were filed by U.S. Express Mail on November 22, 1995. Applicant's attorney inadvertantly failed to enclose a Petition for a One (1) Month Extension of Time with the documents filed on November 22, 1995.

Applicant submits that this Petition, and the documents filed on November 22, 1995, are timely filed with a one-month extension.

Please contact Applicant's undersigned attorney if you have any questions.

Respectfully submitted,

John G. Bisbikis  
Reg. No. 37,095  
Attorney for Applicant

**Enclosure**

\\31017\\011\\51CORMMD.012

"EXPRESS MAIL" Mailing Label Number: TB654690421US

Date of Deposit: November 27, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Brian A. Brown

\\31017\\011\\51CORJGB.003

Applicant: William E. Marshall & Michael K. Hoffman Docket No. 31017-011

Title: Methods of Modulating the Immune Systems of Animals Serial No. 08/517,016

Date Sent: 11/22/95 ☐ Regular Mail ☐ Cert. of Mailing ☒ Express Mail No. TB654690410 US

☐ Transmittal Letter ☐ Trademark/Service Mark/Intent-To-Use Application  
☐ Utility/Design/Continuation/CIP/FWC/Divisional/PCT ☐ Amendment to Allege Use ☐ Statement of Use

Other: \_\_\_\_\_ ☐ Formal/Informal/Substitute Drawing Sheet  
\_\_\_\_\_ (no. of) Substitute/Specimens

☐ pages of Specification (including ☐ Continued Use Affidavit/Declaration (Section 8 & 15)

☐ pages of Claims); ☐ Abstract ☐ Notice of Opposition/ Answer To \_\_\_\_\_

☐ pages of Formal/Informal Drawings ☐ Ex Parte Appeal

☐ Information Disclosure Statement ☐ Petition for Cancellation/ Answer To \_\_\_\_\_

☐ Form PTO 1449 ☐ Renewal of Reg. No. \_\_\_\_\_

☐ copies of cited references ☐ Declaration

☐ Verified Statement of Small Entity Status ☐ Power of Attorney

☐ Transmittal of Issue Fee \_\_\_\_\_ Form PTO 85b \_\_\_\_\_ Form PTO 85c

☐ Maintenance Fee for \_\_\_\_\_ years after grant ☐ Request for \_\_\_\_\_ - day/month Extension of Time

☐ Notice of Appeal ☐ Appeal Brief ☐ Order for \_\_\_\_\_ Certified/Status/ \_\_\_\_\_ copies

☐ Recordation of \_\_\_\_\_ Patent \_\_\_\_\_ Trademark: Assignments/Security Agreements/ \_\_\_\_\_

☒ Response to Office Action of 9/26/95 ☐ Petition to Commissioner for \_\_\_\_\_

Other: Including: 1) Copy of Notice to File Missing Parts; 2) Declaration and Power of Attorney

3) Small Entity Declaration and 4) Assignment with Recordation Cover Sheet.

☐ Check for \$ \_\_\_\_\_ ☒ Deposit Account charge for \$ 105.00 Attorney: John G. Bisbikis

PATENT/TRADEMARK OFFICE  
OFFICE DATE STAMP:

PATENT/TRADEMARK OFFICE  
SERIAL NUMBER STAMP:

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

RETAIN THIS NUMBER-CUSTOMER  
RECEIPT WILL BE MAILED TO YOU.

TB654690410 US



CASE NO. 31017-011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
William E. Marshall and  
Michael K. Hoffman

For: Methods of Modulating  
the Immune Systems of  
Animals with  
Compositions of  
Products Released by  
Stressed Microorganisms

Examiner: Unknown

Group Art Unit: Unknown

Serial No. 08/517,016

Filed: August 18, 1995

SUBMISSION OF MISSING PARTS  
UNDER 37 C.F.R. §1.53

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

In response to the Noting to File Missing Parts of  
Application Filing Dated Granted, mailed on September 26, 1995,  
enclosed are the following items for filing in the above  
referenced application:

1. A copy of the Notice to File Missing Parts of  
Application Filing Date Granted;
2. Declaration and Power of Attorney;

"EXPRESS MAIL" Mailing Label Number: T8654690410US  
Date of Deposit: November 22, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express  
Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Brian Brown

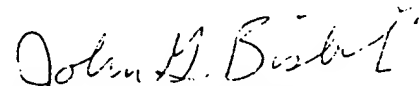
3. Assignment of Invention to Immunom Technologies, Inc. with Recordation Cover Sheet; and
4. Small Entity Declaration - small business concern.

The Commissioner is hereby authorized to charge Applicants' Attorney's Deposit Account No. 13-0206 in the amount of \$65.00 to cover the fees under 37 CFR § 1.16(e) for the late filing of the Declaration. As indicated on the enclosed Patent Recordation Cover Sheet, the Commissioner is authorized to charge Applicants' Attorney's Deposit Account No. 13-0206 in the amount of \$40.00 to cover the fees under 37 CFR § 1.21(h) for recording the Assignment.

The Commissioner is also authorized to charge any payment of any additional fees due or credit any overpayment to Deposit Account No. 13-0206. A duplicate copy of this sheet is enclosed.

Having now complied with all of the requirements of 37 C.F.R. § 1.53, Applicants respectfully request that this application be placed upon the files for examination.

Respectfully submitted,

  
\_\_\_\_\_  
John G. Bisbikis  
Reg. No. 37,095  
Attorney for Applicant

John G. Bisbikis  
McDermott, Will & Emery  
227 West Monroe Street  
Chicago, Illinois 60606-5096  
(312) 984-3612

\\31017\011\51RESJGB.001



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
--------------------	-------------	-----------------------	------------------------

03/517,016 08/18/95 MARSHALL

W 31017-011

0272/0926

WILLIAM E MARSHALL  
112 SUCCABONE ROAD  
BEDFORD HILLS NY 10507-2221

DATE MAILED: 0000

NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED

09/26/95

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for large entities or \$ 65 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a ☒ large entity, ☐ small entity (verified statement filed), is \$ 555.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. ☒ The statutory basic filing fee is: ☐ missing ☒ insufficient. Applicant as a ☒ large entity ☐ small entity, must submit \$ 365 to complete the basic filing fee.

2. ☒ Additional claim fees of \$ 60 as a ☒ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

3. ☒ The oath or declaration:

☒ is missing.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. ☐ The signature(s) to the oath or declaration is/are: ☐ missing; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:

\_\_\_\_\_ An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ \_\_\_\_\_ under 37 CFR 1.17(k), unless this fee has already been paid.

8. ☐ A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).

9. ☐ Your filing receipt was mailed in error because your check was returned without payment.

10. ☐ The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

11. ☐ Other.

Direct the response to Box Missing Part and refer any questions to the Customer Service Center at (703) 308-1202.

A copy of this notice **MUST** be returned with the response.

BEST AVAILABLE COPY